



**AGENDA OF THE REGULAR SESSION
CITY OF AUBURN
HISTORIC DESIGN REVIEW COMMISSION
1225 LINCOLN WAY, AUBURN, CA 95603**

**June 17, 2014
6:00 PM**

Historic Design Review Commissioners

Lisa Worthington, Chair
Roger Luebke
Matt Spokely
Fred Vitas
Nick Willick
Liz Briggs
Cindy Combs
Terry Green
Kathryn Kratzer-Yue

City Staff

Will Wong, Community Development Director
Reg Murray, Senior Planner
Lance Lowe, AICP, Associate Planner

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. APPROVAL OF MINUTES – NONE

IV. PUBLIC COMMENT

This is the time provided so that persons may speak to the Commission on any item not on this agenda. Please make your comments as brief as possible. The Commission cannot act on items not included on this agenda; however, the items will be automatically referred to City staff.

V. PUBLIC HEARING ITEMS – NONE

VI. COMMISSION BUSINESS

- A. Mills Act Discussion.
- B. Update on workshops/presentations with interest groups. Staff will provide an oral update.
- C. As necessary, removal of staff authority delegated to staff – sign permits, ADA improvements; light fixtures.

VII. COMMUNITY DEVELOPMENT DEPARTMENT FOLLOW-UP REPORTS

- A. City Council Meetings
- B. Future Historic Design Review Commission Meetings
- C. Reports

VIII. HISTORIC DESIGN REVIEW COMMISSION REPORTS

The purpose of these reports is to provide a forum for Historic Design Review Commissioners to bring forth their own ideas to the Commission. No decisions are to be made on these issues. If a Commissioner would like formal action on any of these discussed items, it will be placed on a future Commission agenda.

IX. FUTURE HISTORIC DESIGN REVIEW COMMISSION AGENDA ITEMS

Historic Design Review Commissioners will discuss and agree on items and/or projects to be placed on future Commission agendas for the purpose of updating the Commission on the progress of items and/or projects.

X. ADJOURNMENT

Thank you for attending the meeting. The Historic Design Review Commission welcomes your interest and participation. If you want to speak on any item on the agenda, as directed by the Chair, simply go to the lectern, give your name, address, sign in and speak on the subject. Please try to keep your remarks to a maximum of five minutes, focus on the issues before the Historic Design Review Commission and try not to repeat information already given to the Commission by a prior speaker. Always speak into the microphone, as the meeting is recorded on tape. It is the policy of the Commission not to begin consideration of a project after 10:00 PM. Such projects will be continued to the next meeting.

Materials related to an item on this Agenda submitted to the Commission after distribution of the agenda packet are available for public inspection in the Community Development Department during normal business hours.



CITY OF AUBURN MEMORANDUM

Historic Design Review Commission

Meeting Date: June 17, 2014

Prepared by: Wilfred Wong, Community Development Dir.

**ITEM NO.
VI-A**

ITEM VI-A: MILLS ACT

On May 6, 2014 Shannon Lauchner, a Historian from the California Office of Historic Preservation, discussed the Mills Act with the Commission. Her PowerPoint presentation is attached (Attachment 1). At a future meeting following are some of the recommendations that the Commission will be making on the program to the City Council:

1. Level of resource that will qualify. Auburn Register or higher level?
2. Number of years for contract. 10 years minimum or more?
3. Require inspection by staff prior to contract and every year.
4. Contract process for cancellation. Public hearing HDRC, recommendation to City Council, City Council takes final action. 12 ½% penalty.
5. Residential only? Single-family only? Allow commercial too?
6. What level of work needs to be done to qualify? What if minimal work (maintenance) needs to be done since work already completed. Incentive for existing.
7. Exterior work only qualifies and not interior.
8. Landscaping will not qualify.
9. Cap on revenue lost, cap on number of contracts per year? Oakland allowed more each year (5, 10, 15) to evaluate the impact. Timing of when property tax savings would occur. School districts and other agencies will be affected?

Staff is working on examples to show the property tax savings (property owner), or loss (taxing agencies).

On April 1, 2014 staff provided a packet of information for HDRC members to review. Do members need additional information before staff brings this item to the HDRC for consideration? If not, staff anticipates bringing this item for HDRC consideration on August 19, 2014.

The Mills Act

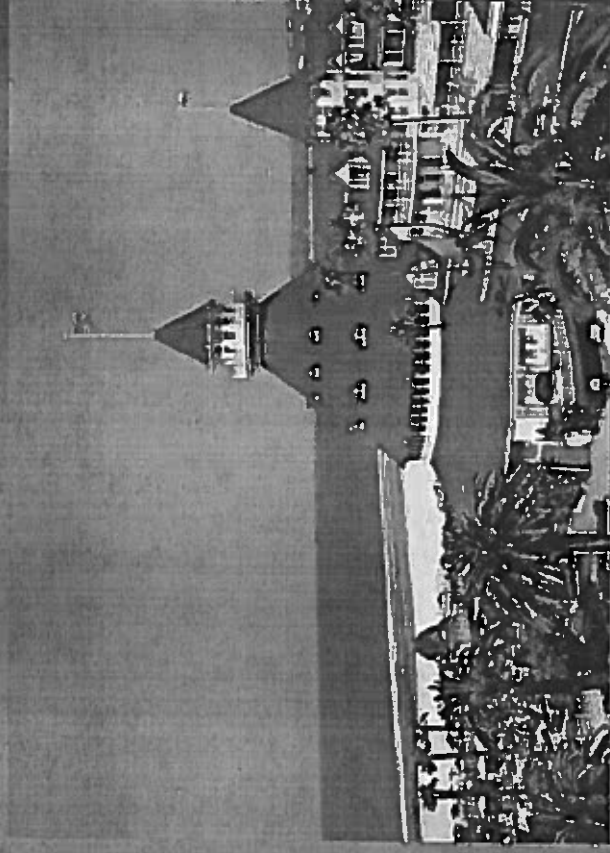
City of Auburn

Historic Design Review Commission

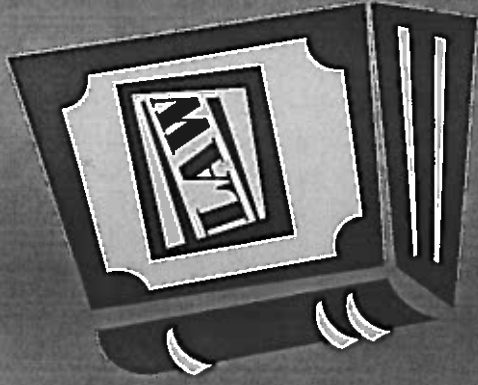
May 6, 2014

Mills Act Background

- Named after Senator James Mills from San Diego
- Written in response to development pressure being felt by the owner of the Hotel Del Coronado
- Originally passed in 1971
- Active beginning in 1972 after court challenges



Mills Act Basics



- California Government Code 50280-5029
 - <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=gov&group=50001-51000&file=50280-50290>
- State enabling legislation
- Allows local governments to adopt a program that meets their needs, within the framework established in the CGC

Mills Act Framework

- A local government with a Mills Act program may enter into a contract with the owner of a property to restore, rehabilitate, or maintain their property in exchange for property tax savings.
- Property must be a “qualified historical property”

Mills Act Framework

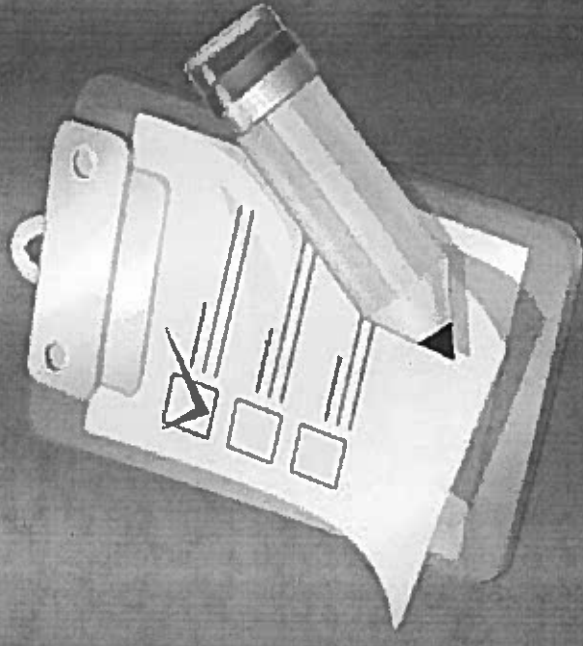
- “Qualified historical property” means privately owned property which is not exempt from property taxation and is either:
- Listed in the National Register of Historic Places (or)
- Listed in any state or local register of historical or architectural resources, sites, or landmarks
 - California Register of Historical Resources
 - California Historical Landmarks
 - California Points of Historical Interest
 - Auburn Register

Mills Act Framework

- Contracts are for a minimum of 10 years and renew annually
- Contracts run with the title of the property
- Non-renewal:
 - If either party wishes to opt out they must notify the other party in writing prior to annual renewal date
 - After opting out, contract will run for the final 10 year term

Mills Act Framework

- The law was amended in 2011 to include property inspections by the local government before a contract and every five years thereafter.
- Local governments are being very creative in their efforts to meet this new requirement.



Mills Act Framework

- California Office of Historic Preservation provides technical assistance to local governments and property owners as needed.
- Board of Equalization provides technical assistance to County Assessors as needed.
 - Also provides a portion of the taxation formula annually
 - Found at Revenue and Taxation Code Sections 439 through 439.4

Why Adopt a Mills Act Program?

- Place making
- Heritage tourism
- Helps retain character of an area
- Stable property values in maintained areas
- Flexibility of the program



Why Adopt a Mills Act Program?

- Flexibility of the program
- Voluntary
- Only statewide incentive available to single family residential property owners.



How to Adopt a Program?

- No requirements for adoption of a program in the state legislation
- Communities typically either:
 - Adopt a program through an ordinance
 - Adopt a program by resolution



Questions?

Discussion...

Thank You!

- Contact Information:

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California Office of Historic Preservation

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